

STATE ALLOCATION BOARD  
IMPLEMENTATION COMMITTEE MEETING  
September 7, 2006

IMPLEMENTATION OF THE  
OVERCROWDING RELIEF GRANT

PURPOSE

To discuss the implementation and development of the Overcrowding Relief Grant (ORG).

BACKGROUND

Assembly Bill (AB) 127 (Chapter 35, Statutes of 2006 - Nunez and Perata), establishes a new grant that enables districts to reduce the number of portable\* classrooms on overcrowded school sites and replace them with permanent classrooms. AB 127 provides \$1 billion for eligible schools. The grant program is contained in Education Code (EC) Sections 17079 through 17079.30 (see Attachment A for pertinent text). The following discussion item refers to the major components of the ORG.

DISCUSSION

**1. *Eligible Schools***

In order to participate in the ORG, districts must have school sites deemed eligible by the California Department of Education (CDE) based on population density utilizing the 2005/06 California Basic Educational Data Systems (CBEDS). The school site must have a pupil population density equal to or greater than 175 percent of CDE's recommended population density. Additionally, population density will be reduced when applicable to account for multistory construction and approved new construction projects, including approved apportionments for the Critically Overcrowded School (COS) Facilities Program.

The approved new construction apportionments to be reduced from the density calculation will include projects located a certain distance from the ORG eligible school (one mile for elementary schools and three miles for middle and high schools). This is based on the criteria used to determine eligibility for the COS Program. The approved COS apportionments to be reduced from the density calculation will include qualifying pupils currently housed at the ORG eligible school which will be relocated to a COS project.

\*The definition of a portable pursuant to EC Section 17070.15 (k) is a classroom building of one or more stories that is designed and constructed to be relocatable and transportable over public streets, and with respect to a single story portable classroom, is designed and constructed for relocation without the separation of the roof or the floor from the building and when measured at the most exterior walls, has a floor area not in excess of 2,000 square feet.

## *California Department of Education Proposed Calculation*

### CDE Recommended Pupil Density per Acre

The CDE recommends using half of the density standards established in the COS program as the basis for calculations in the ORG. The COS density factors represent 200% of the CDE recommended density so using half of the number will represent 100% of the CDE recommended factor.

The table below shows the CDE recommended student density per acre at various percentages:

Grade Span	100%	150%	175%	200% (COS)
K-6	57	85	100	115
7-8	43	65	75	90

Consistent with COS, if a school has students in both grade spans, the calculation is made based upon the grade span in which the majority of the students are enrolled.

### Adjustments to use in density calculation

EC Section 17079 requires two adjustments be made in determining a school's student population density:

- (1) Students from the school to be housed in new construction projects, and
- (2) Students housed in classrooms above the first floor.

#### New Construction Adjustment

Students to be housed in new construction projects (as defined above) are subtracted from the 2005 CBEDS enrollment to arrive at an "Adjusted CBEDS Enrollment"

#### Multi-Level Adjustment

Consistent with CDE policy, multi-level classrooms are used to increase the net usable acres of a school site based on the following formula:

$$\text{Number of Classrooms above the First Floor} \times 960 \times 1.3 \div 43560 = \text{"Multi Story Adjustment"}$$

Standard classrooms are 960 square feet and the 1.3 factor represents circulation that occurs on multi-level buildings.

The additional acres resulting from the calculation are added to the certified net usable acres reported by the district to establish "Total Usable Acres."

### Eligibility

The "Adjusted CBEDS Enrollment" is divided by the "Total Usable Acres" to determine the school's student population density. The calculated density is compared to the 175% recommended density figure to determine if the school is eligible for funding in the ORG.

### 150% Determination

The "Total Usable Acres" are multiplied by the 150% factor for the appropriate grade span. The result is subtracted from the Adjusted CBEDS Enrollment" to determine the number of grants for which the district may be eligible.

## 2. Eligible Pupils

Each district will have a districtwide (or High School Attendance Area/Super High School Attendance Area) eligibility bank which can be utilized at any eligible school. The districtwide eligibility will be determined by the number of portables that were included in the initial new construction baseline determination, less the number of Class Size Reduction (CSR) Program portables, multiplied by the applicable State loading standard, i.e. K-6: 25, 7-12: 27, non-severe: 13, and severe: 9.

In order to determine the number of portables used for the CSR Program, districts will provide the total number of portables for the district on the *Application for Funding* (Form SAB 50-04) by self-certification.

The following provides an example of the districtwide eligibility determination.

**Step 1. Begin with the portables counted in the initial baseline determination, utilizing the district's *Existing School Building Capacity* (Form SAB 50-02) option A or B.** In this example the district chose Option B.

PART I - Classroom Inventory	NEW	ADJUSTED	K-6	7-8	9-12	Non-Severe	Severe	Total
Line 1. Leased State Relocatable Classrooms								
Line 2. Portable Classrooms leased less than 5 years			6	6				12
Line 3. Interim Housing Portables leased less than 5 years								
Line 4. Interim Housing Portables leased at least 5 years			4	5	2			11
Line 5. Portable Classrooms leased at least 5 years				2	1			3
Line 6. Portable Classrooms owned by district			80	16		2		98
Line 7. Permanent Classrooms			84	74	32	5		195
Line 8. Total (Lines 1 through 7)			174	103	35	7		319

### PART II - Available Classrooms

Option A.	K-6	7-8	9-12	Non-Severe	Severe	Total
a. Part I, line 4	4	5	2			11
b. Part I, line 5		2	1			3
c. Part I, line 6	80	16		2		98
d. Part I, line 7	84	74	32	5		195
e. Total (a, b, c, & d)	168	97	35	7		307

Option B.	K-6	7-8	9-12	Non-Severe	Severe	Total
a. Part I, line 8	174	103	35	7		319
b. Part I, lines 1,2,5 and 6 (total only)						113
c. 25 percent of Part I, line 7 (total only)						49
d. Subtract c from b (enter 0 if negative)	48	14	1	1		64
e. Total (a minus d)	126	89	34	6		255

If the district had chosen Option A, the number of portables counted in the initial baseline would be the sum of line a, b, and c ( $11 + 3 + 98 = 112$  total portables).

**Step 2. Subtract the reported number of CSR portables from the number of K-6 portables on the Form SAB 50-02.** In this example 10 portables were reported.

$$48 - 10 = 38 \text{ K-6 portables}$$

**Step 3. The remaining number of portables are used in the eligibility determination. Multiply those by the State loading standard.**

Districtwide Eligibility Determination					
	K-6	7-8	9-12	Non-severe	Severe
Number of Portables	38	14	1	1	0
Multiply by the State Loading Standard	25	27	27	13	9
Total Pupil Grant Eligibility	<b>950</b>	<b>378</b>	<b>27</b>	<b>13</b>	<b>0</b>

The eligibility determination will be a one-time determination and will only be adjusted (reduced) as pupil grants are requested for funding.

Although there is a districtwide eligibility bank, each eligible school site will be limited to the number of pupil grants it can request pursuant to EC Section 17079.10 (b) (1) and 17079.20 (a) and (c). The lesser of the following will determine the number of eligible pupil grants for each school site:

- I. The number of grants apportioned cannot exceed the number of pupils whose removal from the density calculation would reduce the density of the site to 150 percent of the CDE recommended population density. The maximum number of pupils for each eligible school (based on this criteria) will be determined by CDE.

-or-

- II. The pupil grant request is also limited to the capacity of the project. Districts must build a number of permanent classrooms equivalent to the number of portable classrooms it will be replacing. Therefore, districts may only request pupil grants up to the capacity of the number of portables being replaced.

For example, if the district is replacing 10 (K-6) portables at School A, they may request up to 250 K-6 pupil grants  $[10 \times 25 \text{ (State loading standard)} = 250]$ , as long as it does not go beyond the number of grants as described in I above.

### **3. Funding**

Eligible pupils will be funded based on the current new construction per-pupil grant amounts at the time of apportionment of the application. In addition, projects funded under this program must meet the same provisions of the School Facility Program (SFP), except for the requirement that the district reduce its new construction eligibility for the classrooms provided. Districts will have the same submittal requirements (i.e. Division of State Architect approved plans and specifications, CDE plan approval, etc).

The program requires that the funding be used toward a reduction in the number of portable classrooms in the district. The program does not allow for funding associated with the construction, acquisition or transportation of portable classrooms. Districts may

opt to utilize the portables that are being replaced as childcare or preschool portables, as long as those portables are placed at ineligible schools.

There is an additional requirement for funding associated with the program. In order to receive funding, districts must certify that they will remove the portable classrooms from the eligible school, and will remove those portables from service within six months of occupancy, unless they are used in the manner indicated above. Districts will be required to state how they have complied with this requirement on the *Expenditure Report* (Form SAB 50-06).

#### *Other Considerations*

Staff is considering the ability of a district to acquire additional acreage with this grant and is currently working with legal counsel to explore the legality of this issue. Additional information will be provided at a future Implementation Committee meeting.

#### **4. Processing**

Districts will request funding under the ORG by submitting a complete new construction package, which will include a Form SAB 50-04. On the Form SAB 50-04, there will be a section wherein districts will provide a narrative indicating how the project is relieving overcrowding at the school site. Site visits will be conducted by Office of Public School Construction to verify information reported by the districts.

Project applications will be funded in date order received, with two filing periods per year. Projects will require the typical processing period. Funds will be apportioned each January and July, with the first apportionment to occur in July of 2007. If ORG funds are insufficient for all applications during any funding period, applications will be prioritized by pupil density; schools with highest pupil density will be funded first.

#### **RECOMMENDATION**

Prepare regulatory language to be presented at a future Implementation Committee meeting including all of the proposals presented in this item.

# ATTACHMENT

## ASSEMBLY BILL 127 OVERCROWDING RELIEF GRANTS

### CALIFORNIA DEPARTMENT OF EDUCATION PROPOSED CALCULATION

Date	
CDS Code	
County	
Local Educational Agency	
School	
Net Usable Acres	

	B	C	D	E	F	H	I	J	K	M
				(Column B – Column D)	(Column E / CDE Recommended Density)		(Column C × 960 [sq. ft.] × 1.3 / 43650 [sq. ft.])	(Column H + Column I Total)	(Column E Total / Column J)	(Column F / Column J)
	2005-06 CBEDS Enrollment	Number of Classrooms Above the First Floor	Pupils from New Construction and Critically Overcrowded Schools Applications	Adjusted CBEDS Enrollment	CDE Recommended Acres	Certified Net Usable Acres	Multistory Acres Adjustment	Total Usable Acres	Schoolsite Pupil Density Per Acre	Percentage of CDE Recommended School Site Pupil Density
Grades K–6				0	0.00		0.00			
Grades 7–12				0	0.00		0.00			
TOTAL	0	0	0	0	0.00	0.00	0.00	0.00	0.00	0.00%

	CDE Recommended Pupil Density Per Acre		
	100%	150%	175%
Grades K–6	57.00	85.50	99.75
Grades 7–12	43.00	64.50	75.25

	Percentage of CDE Recommended Pupil Density		
	100%	150%	175%
Pupil Density Per Acre	0.00	0.00	0.00
Total Enrollment	0	0	0

#### ELIGIBILITY

175% of CDE Recommended Pupil Density	0.00
Schoolsite Pupil Density	0.00
Eligibility	N/A

(CDE Rec. Density × 175%)

(Column K Total)

("YES" if: (1) Column M is equal to or greater than 175% or (2) Schoolsite Pupil Density is equal to or greater than 175% of CDE Recommended Pupil Density)

#### ELIGIBLE STUDENTS

Adjusted CBEDS Enrollment	0
Total Schoolsite Enrollment at 150% of CDE Recommended Density	0
Eligible Pupils	0

(Column E Total)

(CDE Rec. Density × 150% × Column J Total)

(Column E Total – [CDE Rec. Density × 150% × Column J Total])